

## **EXHIBIT 20**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**COMMONWEALTH OF  
MASSACHUSETTS, ET AL.,**

**PLAINTIFFS,**

**V.**

**NATIONAL INSTITUTES OF HEALTH,  
ET AL.,**

**DEFENDANTS.**

**CASE NO.** \_\_\_\_\_

**Declaration of Dr. Bruce E. Jarrell**

I, Bruce E. Jarrell, hereby declare:

1. I am President of the University of Maryland, Baltimore (“UMB”), a constituent institution of the University System of Maryland (“USM”), the State of Maryland’s public system of higher education. This is a position I have held since 2020. As President, I have statutory responsibility and accountability to the USM Board of Regents for developing the mission and successful conduct of UMB and for the supervision of each of UMB’s departments.  
  
From 2012 until my appointment as President I served as UMB’s chief academic and research officer and senior vice president, holding the title of Provost and Executive Vice President.
2. As President, I have personal knowledge of the matters set forth below or have knowledge of the matters based on my review of information and records gathered by my staff.
3. I am providing this declaration to explain certain impacts of National Institutes of Health (“NIH”) Notice Number NOT-OD-25-068, *Supplemental Guidance to the 2024 NIH Grants*

*Policy Statement: Indirect Cost Rates*, which purports to immediately reduce indirect costs payments to 15 percent.

4. Opened in 1807, UMB is Maryland's public health, law, and human services university, dedicated to excellence in education, research, clinical care, and service. UMB enrolls nearly 6,700 students in six nationally ranked professional schools — dentistry, law, medicine, nursing, pharmacy, and social work — and an interdisciplinary School of Graduate Studies. The University offers 97 doctoral, master's, baccalaureate, and certificate programs and confers most of the professional practice doctoral degrees awarded in Maryland.
5. UMB is a thriving academic health center combining cutting-edge biomedical research and exceptional patient care. UMB's extramural funding totaled \$638 million in Fiscal Year 2024. UMB employs more than 8200 employees working toward fulfillment of UMB's mission to improve the human condition and serve the public good of Maryland and society at large through education, research, clinical care, and service.
6. Life-saving research at UMB is supported annually by \$245 million in direct funding from the NIH and \$75 million in passthrough funding from NIH. For example:
  - a. The University of Maryland School of Medicine at UMB is home to the Marlene & Stewart Greenebaum Comprehensive Cancer Center, designated as one of about 50 U.S. comprehensive cancer centers by the National Cancer Institute. Our cancer investigators conduct groundbreaking cancer research taken from the lab to the treatment clinic, saving lives and giving patients access to novel, life-saving treatments.
  - b. UMB is also home to the world-renowned Shock, Trauma and Anesthesiology Research organized research center, a multi-disciplinary research and educational

center focusing on critical care and organ support, resuscitation, surgical outcomes, patient safety and injury prevention. The focus of tens of millions of NIH-funded research dollars includes traumatic brain injury and spinal cord injury, sepsis and dementia.

- c. UMB is a leader in research in the areas of neuroscience, microbiology, immunology, and vaccinology which are supported by tens of millions of dollars in NIH-funding each year. Among other things, NIH-funded research in these areas includes life-saving vaccines; addiction science, prevention, and treatment; neurodegeneration; traumatic brain injury; organ transplant; and the development of artificial blood products.
7. UMB has a Negotiated Indirect Cost Rate Agreement (“NICRA”) with NIH, effective as of October 24, 2023. The Indirect Cost (“IDC”) Rate in UMB’s NICRA is 55.5 percent.
  8. NIH’s reduction of UMB’s IDC rate(s) will eliminate \$49.5 million annually in NIH indirect and passthrough funding that UMB uses to support its research programs. Note that all allowable costs were supported by substantial evidence when the most recent NICRA was completed.
  9. The loss of these funds will immediately impact UMB’s ability to draw critical funds used to cover administrative (e.g., department, school, & central administrative payroll and operating) and facility costs (e.g., utilities, debt service, maintenance and environmental services personnel and operating costs, facility renewal) in support of NIH research. At a health sciences research-focused, public institution like UMB, the magnitude of this reduction is significant and will severely limit translational and life-saving research and clinical trial programs. Research, and particularly clinical trials, cannot occur absent the

critical operational support and compliance infrastructure that IDC dollars fund and that are necessary to perform clinical research safely, ethically, and in compliance with federal regulatory requirements. For example, a reduction in the NIH IDC rate impacts UMB's ability to comply with regulatory oversight responsibilities including but not limited to:

- a. The Human Research Protections Office, including the Institutional Review Board, which protect human research subjects;
- b. The Office of Animal Welfare Assurance, the Institutional Animal Care and Use Committee and Veterinary Resources, which protect animal research subjects;
- c. The Institutional Biosafety Committee which reviews and oversees research involving potentially infectious materials;
- d. The Research Security Program, which safeguards UMB's research enterprise against foreign government interference and the misappropriation of research and development to the detriment of national or economic security;
- e. The Conflict of Interest Office, which protects against conflicts of interest in federally-funded research;
- f. The Research Integrity Office, which manages research misconduct proceedings in compliance with NIH Office of Intramural Research requirements; and
- g. The Office of Environmental Health and Safety, including Radiation Safety, which support the UMB clinical research community in meeting regulatory requirements and managing health and safety risks related to research activities, including but not limited to laboratory and radiation safety.

10. We anticipate NIH's reduction of UMB's IDC rate(s) will disrupt ongoing clinical trials including those testing potentially life-saving treatments for patients with cancer, orthopedic

trauma, and addiction, and require furlough of physicians, nurses and staff supporting these patients through their journey toward cure.

11. UMB draws close to \$8 million biweekly from 470 active NIH awards across 34 NIH

Programs in 24 NIH Institutes. UMB next anticipates drawing funds on or around February 14, 2025. At that time, the reduced IDC rate will impact UMB in irreparable ways by eliminating funds used to support expenses allowable under UMB's NICRA.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 9th day of February, 2025, in Baltimore, Maryland.



Dr. Bruce E. Jarrell, M.D, FACS  
President  
University of Maryland, Baltimore